



NOVEMBER 19th 2007
 Eddie Cotto#06R5209
 Mohawk correction facility
 6100 School Road
 Rome, New York, 13442-8451
 75 74B 6 13B

Dear judge Swain!

I am the plaintiff in the civil action caption of #07-CV-7656(LTS)(AJP), as pre the order of this court the plaintiff attempted to serve a copy of the amanded complaint on the defendant known as john doe however the office of the U.S.marshall service has in fact noticed the plaintiff informing him that he cannot serve as a matter of law a john doe who is unknown. I am in fact therefore request that this court allow plaintiff to attempt to obtain defendant John does ~~idmki~~ identity through dicoverly which I have in fact by mail submitted to corporation counsels office as of this date requesting the information concerning such idenity,"I have done so through Rule 36(a), and I will at this time request that this court extend my time to serve john doe by sixty days and or in the alternitive,"allow plaintiff leave to bring this matter back before this court after he has in fact obtained said information from cousels office which in fact should take no more then 30 days to do. I apologize for any delay caused on my part however,"under the current and pesent circumstances I am only requesting to amand the name of john doe in the caption of the complaint and cannot see how it would in any way whatso- ever cause the defendants any perjudice at all and I ask that this request be granted.

TA THANK YOU FOR YOUR ATTENTION

YOURS etc

Eddie Cotto

EDDIE COTTO PLAINTIFF PRO-SE

Michael Coardoz Corporation counsel
 Department of law city of New york
 100 CHURch Street
 New york,N.Y.10007.

MEMO ENDORSED 11/26/07

APPROVED

SO ORDERED:

[Signature]
 Hon. Andrew J. Peck
 United States Magistrate Judge

cc: Mr. Peck / Court (for)
Judge Swain

BY FAX

FAX TRANSMITTAL SHEET



**ANDREW J. PECK
UNITED STATES MAGISTRATE JUDGE
UNITED STATES DISTRICT COURT**

Southern District of New York
United States Courthouse
500 Pearl Street, Room 1370
New York, N.Y. 10007-1312

Fax No.: (212) 805-7933
Telephone No.: (212) 805-0036

Dated: November 26, 2007

Total Number of Pages: 2

TO	FAX NUMBER
Brian Francolla, Esq. Sarah B. Evans, Esq.	212-788-9776

TRANSCRIPTION:

MEMO ENDORSED 11/26/07

Approved.

**Copy to: Eddie Cotto (Mail)
Judge Laura Taylor Swain**